

REMARKS-General

1. The newly drafted independent claim 21 incorporates all structural limitations of the original claim 1 and includes further limitations previously brought forth in the disclosure. No new matter has been included. All new claims 21-40 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

Regarding to Rejection of Claims 1-5, 8-10 and 15-18 under 35USC102

2. The Examiner rejected claims 1-4, 8, 9, 15 and 17 as being anticipated by Peterson (US 3,416,468) and claims 1, 5, 8, 10 and 15-18 as being anticipated by Nien (US 6,615,743).

3. Pursuant to 35 U.S.C. 102, "a person shall be entitled to a patent unless:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language."

4. In view of 35 U.S.C. 102(b), it is apparent that a person shall not be entitled to a patent when his or her invention was patent in this country more than one year prior to the date of the application for patent in the United States.

5. In view of 35 U.S.C. 102(e), it is apparent that a person shall not be entitled to a patent when his or her invention was described in an application patent which is

published under section 122(b) by another filed in the United States before the invention by the applicant for patent.

6. However, the Peterson and Nien patents and the instant invention are not the same invention according to the fact that the independent claims of the Peterson and Nien patents do not read upon the instant invention and the independent claim 21 of the instant invention does not read upon the Peterson and Nien patents too. Apparently, the instant invention, which discloses a foldable table with a longitudinal mid-support arrangement, should not be the same invention as the Peterson and Nien patents which disclose a foldable table.

7. Peterson and Nien fail to anticipate the distinctive features of:

(i) in claim 21, "the mid-runner is longitudinally extended under the tabletop between the two side runners" is claimed while there is no attachment between the mid-runner and the tabletop, wherein Peterson discloses a center support 71 attached to the table via the screws 81 as shown in Fig. 1 and Nien discloses a support rail 26 is attached in the longitudinal recess 13 of the table.

(ii) in claim 21, "a mid-runner having two ends coupling with two leg frames respectively" is claimed to retain the mid-runner in position, wherein Peterson discloses, in column 3, lines 73-75, a center support 71 extends longitudinally of the table between the cross braces 58 of the leg assemblies and Nien discloses, figures 1 and 2 the support rail 26 has two free ends with no engagement. It is apparent that both Peterson and Nien fail to teach and anticipate the same recitation and limitation in the claim 21 of the instant invention of coupling the two ends of the mid-runner to the leg frames to retain the mid-runner at a position along the tabletop.

(iii) "two ends of the mid-runner are respectively coupling with the transverse members" is claimed to retain the mid-runner in position between the two side runners as claimed in claim 22 in addition to what is claimed in claim 21 as a whole. It is clearly a length of the mid-runner is corresponding to a distance between the two transverse members as shown in Fig. 3 of the instant invention. Peterson merely discloses the center support 71 is secured to the two cross braces 58 of the two leg assemblies respectively. In other words, the center support 71 is longer than a distance between

the two cross braces 58 of the leg assemblies. Nien discloses the two ends of the support rail 26 have no structural relationship with the end rails 23, 24 of the support pedestals 30, 40.

(iv) “**two attachment units** rotatably connecting the transverse members of the leg frames with the two ends of the mid-runner respectively” is claimed to rotatably connect the mid-runner with the leg frames as claimed in claim 23 in addition to what is claimed in claim 21 as a whole. Peterson merely teaches two plates 76 secures the center support 71 with the cross braces 58 of the leg assemblies. As it is mentioned above, Peterson fails to teach and anticipate the same recitation and limitation in the claim 23 of the instant invention of connecting the two ends of the mid-runner to the transverse members. Nien does not teach any attachment at the ends of the support rail 26.

(v) “each of the attachment units comprises a C-shaped frame holder having a guiding slot for the respective transverse member rotatably passing through and a frame connector extended from the frame holder” is claimed to securely attach to the respective end of the mid-runner as claimed in claim 23 in addition to what is claimed in claim 21 as a whole. The applicant respectfully submits that the plate 76 of Peterson is not equivalent to the attachment unit of the instant invention. Accordingly, the plate 76 taught by Peterson is used for connecting the center support 71 with the cross braces 58. However, the attachment unit of the instant invention is used for connecting the end of the mid-runner with the transverse member. In addition, Nien does not teach any attachment at the ends of the support rail 26.

(vi) “the mid-runner is extended between the two side runners in a parallel manner” is claimed to support the tabletop as claimed in claims 33-34 in addition to what is claimed in claim 21 as a whole, wherein not attachment between the mid-runner and the tabletop is required to support the tabletop. Peterson merely suggests the center support 71 is attached to the table via the screws 81 to support the table. Nien merely teaches the support rail 26 is embedded in the table to support the table.

(vii) “each of the folding frames has a leg coupling end pivotally coupling with the respective leg frame and a table coupling end pivotally and **selectively** coupling along the mid-runner” to retain the leg frames in position as claimed in claims 35-37 in

addition to what is claimed in claim 21 as a whole. Peterson merely teaches the leg assemblies are pivotally connected to the center support which is attached to the table. Nien merely teaches the support pedestals 30, 40 are pivotally connected to the support rail 26 which is embedded in the table. Accordingly, the instant invention discloses, in page 8, line 4-7, "the table coupling end 422 of the respective folding frame 42 can be adjustably coupled with the mid-runner 30 at any position between the two transverse members 411 of the leg frames 41 depending on the length of the tabletop 10". It is apparent that both Peterson and Nien fail to teach and anticipate the concept in the claims 35-37 of the instant invention of selectively coupling table coupling end along the mid-runner which depends on the length of the tabletop.

8. It is worth to mention that since the tabletop is made of light weight material such as plastic, the rigidity of the tabletop may be reduced when the mid-runner is attached to tabletop to damage the surface thereof. Applicant respectfully submits that there is no physical damage of the tabletop of the instant invention because no screw or other fastener is required to mount the mid-runner and the leg assemblies to the tabletop.

9. Accordingly, Peterson and Nien are not a qualified prior art of the instant invention and should be removed from the prior art list of the instant invention.

Response to Rejection of Claims 6, 7, 11-14, 19 and 20 under 35USC103

10. The Examiner rejected claim 12 over Peterson (US 3,416,468) in view of Pinch (US 6,058,853), claims 6, 7 and 11 over Peterson (US 3,416,468) in view of Nien (US 6,615,743) and claims 13 and 14 over Peterson (US 3,416,468) in view of Nien (US 6,615,743) and further in view of Pinch (US 6,058,853).

11. Pursuant to 35 U.S.C. 103: "(a) A patent may not be obtained though the invention is **not identically** disclosed or described as set forth in **section 102 of this title**, if the **differences** between the subject matter sought to be patented and the prior art are such that the **subject matter as a whole would have been obvious** at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

12. In view of 35 U.S.C. 103(a), it is apparent that to be qualified as a prior art under 35USC103(a), the prior art must be cited under 35USC102(a)~(g) but the disclosure of the prior art and the invention are not identical and there are one or more differences between the subject matter sought to be patented and the prior art. In addition, such differences between the subject matter sought to be patented **as a whole** and the prior art are obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

13. In other words, the differences between the subject matter sought to be patent as a whole of the instant invention and Peterson which is qualified as prior art of the instant invention under 35USC102(b) are obvious in view of Pinch and Nien at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

14. However, as recited above, Peterson merely discloses a foldable table comprising a center 71 attached to the table via the screws 81 and two plates 76 secures the center support 71 with the cross braces 58 of the leg assemblies without any mention of "the mid-runner having two ends coupling with two leg frames respectively to retain the mid-runner at a position that the mid-runner is longitudinally extended under the tabletop between the two side runners".

15. Therefore, the difference between Peterson and the instant invention as claimed in claims 21 to 40 is not limited to the disclosure of "center support", but includes the above distinctive features (i) to (vii). In addition, regarding to claims 21 to 40, the instant invention further contains the following distinctive features:

(viii) in claims 24-26, "the tabletop has **two receiving tracks** longitudinally and integrally formed along the two side edge portions of the tabletop respectively" is claimed to receive the two side runners so as to retain the side runners in position. Peterson never mentions any receiving tracks to receive the U-shaped elongated support members 122, 123. In addition, none of Peterson, Nien and Pinch teaches a receiving track formed along the tabletop to receive the side runner.

(ix) "the tabletop has a **surrounding rim** downwardly extended from each of the side edge portions of the tabletop" is claimed to form a receiving cavity to receive

the leg assemblies therein at the folded position as claimed in claim 27-29 in addition to what is claimed in claim 21 as a whole.

(x) in claims 30-32, "the surrounding rim has an outer sidewall and an inner sidewall to form the respective receiving track longitudinally extended under the respective side edge portion of the tabletop" is claimed to receive the respective side runner so as to retain the side runner in position. None of Peterson, Nien and Pinch teaches the surrounding wall has an outer sidewall and an inner sidewall to form the receiving track to receive the side runner.

(xi) "two side panels and a pivot hinge which is positioned between the two side panels and is formed at a mid-portion of each of the side runners between the two side panels, wherein the mid-runner has two longitudinal portions pivotally connected end-to-end to align with the two pivot hinges in such a manner that said side panels are adapted to fold in an overlapped manner via the pivot hinges for reduce a size of the tabletop" is claimed in claims 38-40 in addition to what is claimed in claim 21 as a whole. Peterson never mentions any pivot joint allowing the table to be overlappedly folded in half. In addition, Pinch fails to teach the mid-runner has two longitudinal portions pivotally connected end-to-end to align with the two pivot hinges and the mid-runner is longitudinally extended between the two transverse members with no structural attachment.

(xii) The instant invention can simplify the manufacturing and assembling processes of the foldable table and lower the cost thereof by its structural configuration. As mention in background of the disclosure, the conventional tabletop is made by plastic "air-blow molding technique that the side runner is embedded in the plastic tabletop at the time when the tabletop is formed in the molding. Then, the leg assemblies are attached to the tabletop by screws. In addition, the assembling process of the conventional foldable table is complicated to incorporate the plastic molding step of the tabletop with the leg assembly manufacturing step together. For example, the foldable table taught by Peterson requires lots of attachments between the side rails, the center support, the tabletop, and the leg assemblies. Therefore, the assembling process of Peterson's table is time consuming and is not cost effective. The instant invention is able to simplify the assembling process because the plastic molding step of the tabletop and the leg assembly manufacturing step are processing individually. Since there is no

attachment between the tabletop and side runners, the side runners are adapted to mount to the tabletop by simply placing the side runners in the receiving tracks of the tabletop respectively without any tool or screw, so as to mount the leg assemblies to the side runners. Then, the mid-runner is mounted between the leg assemblies by coupling the ends of the mid-runner with the transverse members via the attachment units. There is no attachment between the tabletop and the mid-runner. The entire assembling process of the foldable table requires only one screwing step to attach the leg frame to the mid-runner. Even the user is able to assemble the foldable table by himself or herself. None of Peterson, Nien and Pinch teaches a foldable table adapted to be assembled as simply as the instant invention.

16. Applicant believes that neither Peterson, Nien nor Pinch, separately or in combination, suggest or make any mention whatsoever of the difference subject features (i) to (xii) as claimed in the amended claims 21 to 40 of the instant invention.

17. Applicant believes that for all of the foregoing reasons, all of the claims are in condition for allowance and such action is respectfully requested.

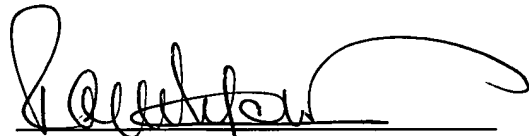
The Cited but Non-Applied References

18. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

19. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 21-40 at an early date is solicited.

20. Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

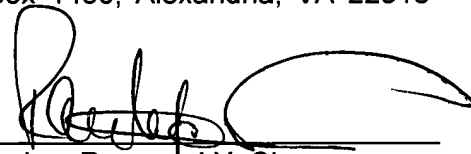


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